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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Upvan NARANG et al.

Group Art Unit: 1615

Application No.: 09/430,177

Examiner: J. VENKAT

Filed: October 29, 1999

Docket No.: 100448.01

For: ADHESIVE APPLICATOR TIP WITH A POLYMERIZATION INITIATOR,
POLYMERIZATION RATE MODIFIER, AND/OR BIOACTIVE MATERIAL

**SUBMISSION OF SUPPLEMENTAL DECLARATION UNDER 37 C.F.R. §1.132
AND REQUEST FOR EXAMINER INTERVIEW**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the Request for Continued Examination, Amendment, and Request for Examiner Interview filed on August 16, 2004, Applicants provide the following additional information:

I. Supplemental Declaration

Attached hereto is an executed Supplemental Declaration Under 37 C.F.R. §1.132, executed by one of the inventors, Upvan Narang. The Supplemental Declaration further explains the subject matter presented in the Declaration signed on August 7, 2002, to address concerns raised by the Examiner in the previous Advisory Action.

Specifically, the attached Supplemental Declaration explains that the ppm amounts of ethanol, methanol and acetone reflected in the experimental testing of the August 7, 2002, Declaration are essentially comparable, and that the slight differences would not be expected to result in different results. The attached Supplemental Declaration, in addition to

Applicants' previous detailed arguments, establishes that the claimed invention is patentable over the cited references.

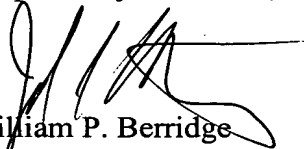
II. Request for Interview

Further to the August 16, 2004, Request for Interview, Applicants hereby affirm their request for an Examiner Interview prior to a first action in this continuing application.

In a telephone conference with Examiner Venkat, Applicants' undersigned representative was informed that the prior Examiner handling this application has left the Patent Office, and that the application would thus be assigned to a new Examiner. In view of the lengthy prosecution history, Applicants believe that a personal interview with the new Examiner would help expedite prosecution of this application.

Applicants thus request the new Examiner assigned this application to telephone Applicants' undersigned representative prior to acting on this application, so that an Examiner Interview can be conducted.

Respectfully submitted,


William P. Berridge
Registration No. 30,024

Joel S. Armstrong
Registration No. 36,430

WPB:JSA

Enclosure:
Supplemental Declaration

Date: October 20, 2004

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SUPPLEMENTAL DECLARATION UNDER 37 C.F.R. §1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Upvan Narang, a citizen of the United States, hereby declare and state:

1. I have a Ph.D. degree in Analytical Chemistry, which was conferred upon me by the State University of New York in Buffalo, New York in 1995.
2. I have been employed by Closure Medical Corporation since 1997 and I have had a total of seven years of work and research experience in absorbable biomaterials.
3. I am a co-inventor of the invention disclosed and claimed in the above-identified patent application, and I have reviewed its disclosure and claims.
4. I executed a Declaration Under 37 C.F.R. §1.132 on August 7, 2002, in the above-identified application. The contents of that Declaration are incorporated herein by reference.
5. In my earlier Declaration, I discussed tests that were conducted to compare the setting time of cyanoacrylate adhesive compositions where various solvents are used as a carrier

for an initiator for the cyanoacrylate. The tests were conducted to demonstrate that significantly different and unexpected results are obtained when methanol is used as the application solvent, as compared to the use of ethanol or acetone as the application solvent.

In the described testing, the gel set times of cyanoacrylate adhesive were tested using benzalkonium chloride as the initiator. The initiator was provided mixed with one of three different solvents -- acetone, ethanol or methanol -- to determine how the particular solvent effects the gel set time. As shown in the Table in the Declaration, the particular amounts of solvent used were 5074.7 ppm ethanol, 5069 ppm methanol, and 5074.7 ppm acetone.

Although the amounts of solvent differed in the tests, the different amounts would not have been expected to provide different results. That is, the three solvents amounts, while different on their face, would be considered equivalent within the experimental parameters. The amount of methanol used differed from the amounts of ethanol and acetone used by only 5.7 ppm, or 0.11 percent. Accordingly, for the purposes of the experiments described therein, the solvent amounts would be considered to be equivalent.

6. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and/or imprisonment under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

Date: August 18, 2004

Upvan Narang
Upvan Narang